

Lexington, Kentucky July 11, 2006

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on July 11, 2006 at 6:00 P.M. Present were Chuck Ellinger in the chair presiding in the absence of Mayor Isaac and Vice-Mayor Scanlon, and the following members of the Council: Council Members Gorton, Lane, McChord, Moloney, Myers, Shafer, Stevens, Stinnett, Wigginton, Brown, Cegelka, DeCamp and Farmer.

The reading of the Minutes of the previous meeting was waived.

Ordinances No. 195-2006 thru 203-2006 inclusive and Resolutions No. 426-2006 thru 441-2006 inclusive were reported as having been signed and published, and were ordered to record.

Lexington, Kentucky July 11, 2006

The Invocation was given by Council Member Jacques Wigginton.

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Mr. Cegelka introduced Ms. Geri Balfour, PTA President at Athens-Chilesburg Elementary School, who explained that the school was trying to raise funds for a playground.

Several students spoke requesting the Council to help fund the playground.

Ms. Gorton suggested that they check on getting a grant match from the Neighborhood Action Match Grant Program since the PTA had raised \$27,000.

Mr. Cegelka thanked the students who spoke and asked that the issue be put into the Budget and Finance Committee.

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The following ordinances were given second reading and passed by the following vote:

Aye: Gorton, Lane, McChord, Moloney, Myers, Shafer, Stevens,  
Wigginton, Brown, Cegelka, DeCamp, Ellinger, Farmer ———— = ———— 13

Nay: \_\_\_\_\_

(Mr. Stinnett was absent when the vote was taken.)

An Ordinance accepting the bid of D. C. Byers Co./Ohio, Inc. in the amount of \$1,127,795.00, for restoration of Phoenix and Victorian Square Parking Garages, for the Dept. of General Services and appropriating funds pursuant to FY 2007 Schedule No. 31.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and reappropriating funds, Schedule No. 29.

An Ordinance authorizing the Mayor to accept a donation of \$600.00 from Chapel Hill Presbyterian Church, for the Gainesway Community Empowerment Center to use for summer activities, and appropriating funds pursuant to FY 2007 Schedule No. 23.

An Ordinance authorizing the Mayor to accept a donation of \$120.00 from the Fayette County Board of Education, for the Gainesway Community Empowerment Center to use for summer activities, and appropriating funds pursuant to FY 2007 Schedule No. 24.

An Ordinance authorizing the Mayor to accept a donation of \$5,000.00 from LexLinc, for the Gainesway Community Empowerment Center to fund the Citizens Leadership Academy, and appropriating funds pursuant to FY 2007 Schedule No. 25.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Dept. of Juvenile Justice, which grant funds are in the amount of \$275,846.00 (FY 2007) and \$275,846.00 (FY 2008) Commonwealth of Ky. funds are for implementation of the Community Juvenile Justice Partnership Grant Program for fiscal years 2007 and 2008, for the Partners for Youth Foundation, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and further authorizing the Mayor to execute Agreements for services

under the Program for FY 2007 with Bluegrass Regional Mental Health – Mental Retardation Board, Inc., for the Dixie Elementary School Project (\$54,000.00), the Board of Education of Fayette County, Kentucky, for the Booker T. Washington Prevention Project (\$60,000.00), the Partners for Youth Foundation for Program Coordination (\$49,700.00), and Croney and Clark for the Pro-Social Education and Community Engagement (PEACE) Project at Deep Springs Elementary School (\$35,000.00) and the Truancy Reduction Initiative (\$53,550.00), at a cost not to exceed \$252,250.00, appropriating funds pursuant to FY 2007 Schedule No. 27, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Dept. of Juvenile Justice, which grant funds are in the amount of \$80,000.00 (\$40,000.00 FY 2007 and \$40,000.00 FY 2008) Commonwealth of Ky. funds, are for the Brenda D. Cowan Center to continue operation of the Transition Plus Program, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2007 Schedule No. 28, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to execute an Agreement with the Board of Education of Fayette County, Ky. for the provision of services under the 21<sup>st</sup> Century Community Learning Center Program, at a cost not to exceed \$99,906.00, and appropriating funds pursuant to FY 2007 Schedule No. 26.

An Ordinance authorizing the Mayor to execute a Contract to Purchase with Ben Wade and Mary Jo Crawford, for the property located at 3010 Evans Mill Road, at a cost not to exceed \$1,715,000.00, and appropriating funds pursuant to Schedule No.

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An Ordinance approving and adopting the program amendment for use of Community Development Block Grant funds in the 2004 Consolidated Plan to establish a new project that includes the acquisition of properties and relocation of residents on Ann Street for the purposes of constructing an extended Shropshire Boulevard as part of the Bluegrass Aspendale Revitalization Project (\$200,000.00), appropriating funds pursuant to Schedule No. 32, and authorizing the Mayor to transfer unencumbered funds with the grant budget was given second reading and passed by the following vote:

Aye: Gorton, Lane, McChord, Moloney, Myers, Shafer,  
Stevens, Brown, Cegelka, DeCamp, Ellinger, Farmer \_\_\_\_\_ 12

Nay: Wigginton \_\_\_\_\_  
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(Mr. Stinnett was absent when the vote was taken.)

Mr. Brown asked to change his vote on the ordinance.

Mr. Cegelka, Council parliamentarian, stated that Mr. Brown could not change his vote because the vote had been closed.

Mr. Brown asked for clarification from Mr. David Holmes, Commissioner of the Dept. of Law, concerning the issue.

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An Ordinance changing the zone from an Agricultural Urban (A-U) zone to an Expansion Area Residential 2 (EAR-2) zone for 8.63 net (8.96 gross) acres and from an Agricultural Rural (A-R) zone to an Expansion Area Residential 2 (EAR-2) zone for 59.72 net (61.76 gross) acres of property located at 2020 and 2200 Russell Cave Road, subject to certain use

and buffer restrictions imposed as conditions of granting the zone change (Middleburg Stables) was on the docket for second reading with a public hearing to be held.

Mr. Wigginton stated that the attorney for Joe Hacker (Middleburg Stables), the applicant for the zone change, had submitted a letter requesting that the zone change application be withdrawn.

Based upon that request, Mr. Wigginton made a motion, seconded by Ms. Gorton and passed by unanimous vote, to (1) file in the record the letter requesting the withdrawal, (2) to grant the withdrawal, (3) to remove the ordinance from the docket, and (4) to cancel the public hearing on the zone change scheduled tonight at 8:00 p.m.

The ordinance was removed from the docket.

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The following ordinances were given first reading. Upon motion of Ms. Shafer and seconded by Mr. Farmer, the rules were suspended by majority vote. The ordinances were given second reading and passed by the following vote:

Aye: Gorton, Lane, McChord, Moloney, Myers, Shafer, Stevens,  
Stinnett, Wigginton, Brown, Cegelka, DeCamp, Ellinger, Farmer \_\_\_\_\_ 14

Nay: \_\_\_\_\_  
\_\_\_\_\_ 0

An Ordinance changing the zone from a Neighborhood Business (B-1) zone with conditional zoning restrictions to a Highway Service Business (B-3) zone for 1.39 net (2.27

gross) acres of property located at 3292 Richmond Road, subject to certain use and buffering restrictions imposed as conditions of granting the zone change. (Thornton's, Inc.)

An Ordinance changing the zone from a Professional Office (P-1) zone to a Townhouse Residential (R-1T) zone for 1.97 net and gross acres of property located at 3823 Dylan Place. (Child Development Centers of the Bluegrass, Inc.)

An Ordinance changing the zone from an Agricultural Urban (A-U) zone to a High Density Apartment (R-4) zone for 6.38 net (7.14 gross) acres of property located at 2370 Sandersville Road, subject to certain use and buffer restrictions imposed as conditions of granting the zone change. (Doug Cauthen and Kerry Cauthen)

An Ordinance amending Article 8-19(b) of the Zoning Ordinance to allow schools for academic instruction as a principal permitted use in the Lexington Center Business (B-2B) zone.

An Ordinance changing the zone from a Planned Neighborhood Residential (R-3) zone to a Highway Service Business (B-3) zone for 0.833 net (1.100 gross) acres of property located at 2553 Nicholasville Road, subject to certain use restrictions imposed as conditions of granting the zone change. (Regency Point, LLC)

An Ordinance changing the zone from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone for 5.43 net (5.87 gross) acres of property located at 3401 McFarland Lane. (Bruce Properties, Inc.)

An Ordinance amending Section 22-5 of the Code of Ordinances abolishing one (1) position of Staff Assistant Sr. – Part-time, Grade 108N, and amending Section 21-5 of the

Code of Ordinances creating one (1) position of Staff Assistant Sr., Grade 108N, in the Div. of Code of Enforcement to become effective on the date of its passage.

An Ordinance amending Section 6 of Ordinance No. 195-2005 to correct a clerical error in Section 6 for the subsection line number for Park Patrol Officer – Part-time.

An Ordinance amending Section 2 of Ordinance No. 321-2005 to correct a clerical error in the grade for Certified Medical Assistant.

An Ordinance amending Ordinance No. 343-2005 to correct a clerical error in the grade for Clinical Services Manager.

An Ordinance authorizing the Mayor to execute an Agreement with the Southern Police Institute, Dept. of Justice Administration, College of Arts and Sciences, University of Louisville, to provide promotion and examination services to the Lexington-Fayette Urban County Government for police sergeant, lieutenant and captain, at a cost not to exceed \$58,000.00.

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An Ordinance pursuant to Ordinance No. 197-2002 adjusting the salaries of various employees occupying the positions of Equipment Operator Sr., Public Service Worker Sr. and Probation Officer, in various divisions, after review pursuant to the Pay Equity Ordinance, effective retroactive to the date described in each item was given first reading.

Upon motion of Ms. Shafer and seconded by Mr. Farmer, the rules were suspended by majority vote. The ordinance was given second reading and passed by the following vote:

Aye: Gorton, Lane, McChord, Moloney, Myers, Shafer, Stevens,

Stinnett, Wigginton, Brown, DeCamp, Ellinger, Farmer \_\_\_\_\_

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An Ordinance changing the zone from a Single Family Residential (R-1D) zone to a Planned Neighborhood Residential (R-3) zone for 0.34 net (0.65 gross) acre of property located at 3816 Rapid Run Drive, subject to certain use and buffer restrictions imposed as conditions of granting the zone change (Will & Esmari Burgess) was on the docket for first reading.

Mr. Myers stated that the attorney for Will and Esmari Burgess, the applicant for the zone change at 3816 Rapid Run Drive, has requested that the zone change application be withdrawn.

Based upon that request, Mr. Myers made a motion, seconded by Mr. Farmer and passed by unanimous vote to (1) file in the record the letter requesting the withdrawal, (2) grant the withdrawal and (3) remove the ordinance from the docket.

The ordinance was removed from the docket.

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An Ordinance changing the zone from a Professional Office (P-1) zone to a Planned Neighborhood residential (R-3) zone for 5.97 net (6.17 gross) acres of property located at 1060 Cross Keys Road (Paradisimo, LLC) was given first reading and ordered placed on file until a public hearing to be held at a Special Meeting on September 12, 2006 at 6:00 p.m.

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The following ordinances were given first reading and ordered placed on file until August 17, 2006 for public inspection.



An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and reappropriating funds, FY 2007 Schedule No. 34.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Heritage Council, which grant funds are in the amount of \$8,350.00 Federal funds, are for the Div. of Historic Preservation's Survey and Planning Project, the acceptance of which obligates the Urban County Government for the expenditure of \$5,570.00 as a local match, appropriating funds pursuant to FY 2007 Schedule No. 33, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

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The following resolutions were given second reading and passed by the following vote:

Aye: Gorton, Lane, McChord, Moloney, Myers, Shafer,  
Stevens, Stinnett, DeCamp, Ellinger, Farmer \_\_\_\_\_ 11

Nay: \_\_\_\_\_  
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(Mr. Wigginton, Mr. Brown and Mr. Cegelka were absent when the vote was taken.)

A Resolution providing that the position of Staff to Council II shall receive the same as a two and four-tenths percent (2.4%) structure movement and providing a three and eight-tenths percent (3.8%) increase in salary to those persons holding the position of Staff to Council II who receive a satisfactory score on their performance evaluations, not to exceed the maximum salary range of \$51,200.00, to become effective retroactive to June 26, 2006.

A Resolution authorizing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-66, designating the speed limit on Saron Drive as 25 miles per hour and authorizing the Div. of Traffic Engineering to install proper and appropriate signs in accordance with the designation.

A Resolution adopting the Floodplain Management Plan for 2006.

A Resolution making a Declaration of Official Intent with respect to reimbursement from subsequent borrowings of temporary advances made for capital expenditures for parking garage improvements, computer equipment, and an animal control shelter building in the aggregate amount of \$1,737,930.00.

A Resolution authorizing the Mayor to execute Change Orders to the contract with D. C. Byers, in the amount of \$1,127,795.00, for restoration of Phoenix Garage and Victorian Square Garage, provided: budgeted funds are available for such change orders; the cumulative total for all project change orders does not exceed \$55,000.00; no individual change order shall exceed \$12,500.00; no change order has the effect of significantly changing the scope of the contract; and notice of each change order so executed shall be furnished to the Urban County Council.

A Resolution authorizing the Mayor to execute an Expansion Area Development Exaction Agreement with Providence Business Center, LLC pursuant to Article 23 of the Zoning Ordinance setting out the type and cost of system improvements constructed by the developer in Expansion Area 3 and adjoining off-site area, the amount of exaction credits earned, use for the exaction credits and amount of repayment to the developer from the Development Exaction Fund.

A Resolution authorizing the Mayor to execute a Memorandum of Agreement with Lexington-Fayette Urban County Airport Board, for building and maintaining an obstacle course on approximately 10 acres of airport premises, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute the Agreements with Belleau Wood Neighborhood Association, Inc. (\$850.00), Lansdowne Neighborhood Association, Inc. (\$5,189.00), Palomar Hills Community Association, Inc. (\$5,000.00), Headley-Whitney Museum, Inc. (\$2,000.00), Hartland Homeowners Association, Inc. (\$8,000.00), Waterford Homeowners Association, Inc. (\$6,500.00), Charleston Woods Homeowners Association, Inc. (\$6,700.00) for various public projects for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution amending Resolution No. 364-2006 to decrease the allocation of Neighborhood Development funds to the Howe Charities, Inc. from \$850.00 to \$650.00.

A Resolution amending Resolution No. 361-2006 to decrease the allocation of Neighborhood Development funds to Fayette County 4-H Council, Inc. from \$2,800.00 to \$1,000.00.

A Resolution authorizing the Mayor to execute Change Order No. One (1) to the contract with P & P Professional Painting, for Carriage House Exterior Painting, increasing the contract price by the sum of \$1,234.00 from \$16,630.00 to \$17,864.00.

A Resolution authorizing the Mayor to execute Amendment No. One (1) to the Contract with Quest Engineers, Inc., for engineering services for design of Section One of the Todds Road/ Liberty Road Phase I Widening Project, increasing the contract price by the sum of \$119,108.00 from \$776,789.00 to \$895,897.00.

A Resolution authorizing the Mayor to execute Change Order No. 9 to the Contract with D. W. Wilburn, Inc., for the Day Treatment Facility, decreasing the contract price by the sum of \$607.00 from \$4,154,138.93 to \$4,153,531.93.

A Resolution authorizing the Mayor to execute the Fifth Amendment to Professional Services Agreement with Patricia K. Howard, for EMS training coordinator services, and authorizing payment in the amount of \$23,700.00, effective retroactive to July 1, 2006.

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A Resolution amending Resolution No. 68-2006 declaring a moratorium to extend the duration of the moratorium until September 15, 2006 or until the Council takes final action on the downzoning, whichever event occurs first was on the docket for second reading.

Ms. Marlene White, 119 S. Ashland Ave., stated that she hadn't received timely notification that the Council would be considering an extension of the moratorium, and requested that the resolution be postponed until her attorney could be present to represent her. She also spoke against downzoning in the neighborhood.

Mr. Bruce Simpson, attorney representing the S. Ashland Ave. Neighborhood Association, explained that the moratorium would expire on August 9, 2006 while the Council was on summer break, and spoke in support of extending the moratorium until the Council returned.

The Council asked questions of Mr. Simpson.

There was a discussion among the Council concerning the process of downzoning in relation to the moratorium.

Dr. Stevens made a motion, seconded by Mr. Lane and passed by unanimous vote, to amend the resolution to extend the duration of the moratorium until August 17, 2006 instead of September 15, 2006.

A Resolution amending Resolution No. 68-2006 declaring a moratorium to extend the duration of the moratorium until August 17, 2006 or until the Council takes final action on the downzoning, whichever event occurs first was given a new first reading as amended.

Upon motion of Dr. Stevens and seconded by Mr. Lane, the rules were suspended by unanimous vote. The resolution was given second reading and passed by the following vote:

Aye: Gorton, Lane, McChord, Moloney, Myers, Shafer,  
Stevens, Stinnett, DeCamp, Ellinger, Farmer \_\_\_\_\_ 11

Nay: \_\_\_\_\_  
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(Mr. Wigginton, Mr. Brown and Mr. Cegelka were absent when the vote was taken.)

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Ms. Shafer made a motion, seconded by Mr. Lane, to suspend the rules on all the first reading resolutions and give them second reading before the Council went on summer break.

The motion failed to pass by majority vote.

There was a discussion among the Council on the importance of suspending the rules for the resolutions so that no business was left unfinished for five weeks.

The Council asked Mr. David Holmes, Commissioner of the Dept. of Law, about this issue.

Mr. Farmer made a motion to suspend the rules for several resolutions.

The motion failed due to lack of a second.

The Council asked questions of Mr. Milton Dohoney, Chief Administrative Officer; Mr. Willy Fogle, Administrative Aide to the Mayor; Ms. Alayne White, Commissioner of the Dept. of Social Services; and Mr. Holmes concerning the reasons for suspending the rules for the resolutions.

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A Resolution accepting the bid of Barnes Distribution establishing a price contract for fasteners, for the Div. of Fleet Services was given first reading.

Upon motion of Mr. Farmer and seconded by Mr. McChord, the rules were suspended by unanimous vote. The resolution was given second reading and passed by the following vote:

Aye: Lane, McChord, Moloney, Myers, Shafer,  
Stevens, Stinnett, DeCamp, Ellinger, Farmer

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Nay:

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(Ms. Gorton, Mr. Wigginton, Mr. Brown and Mr. Cegelka were absent when the vote was taken.)

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A Resolution accepting the bid of W. Rogers Co., in the amount of \$4,006,000.00 (FY 2007 funds), for North Elkhorn Pump Station (Contract A), for the Div. of Sanitary Sewers was given first reading.

Upon motion of Mr. Farmer and seconded by Mr. McChord, the rules were suspended by unanimous vote. The resolution was given second reading and passed by the following vote:

Aye: Lane, McChord, Myers, Shafer, Stevens,  
Stinnett, DeCamp, Ellinger, Farmer

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Nay: Moloney \_\_\_\_\_  
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(Ms. Gorton, Mr. Wigginton, Mr. Brown and Mr. Cegelka were absent when the vote was taken.)

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A Resolution accepting the bids of CED, Inc., Wesco Distributors, W.W. Grainger, and Rexel Electrical & Data Com, establishing a price contract for electrical items, for the Div. of Building Maintenance and Construction was given first reading.

Upon motion of Ms. Shafer and seconded by Mr. Farmer, the rules were suspended by unanimous vote. The resolution was given second reading and passed by the following vote:

Aye: Lane, McChord, Moloney, Myers, Shafer,  
Stevens, Stinnett, DeCamp, Ellinger, Farmer \_\_\_\_\_  
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Nay: \_\_\_\_\_  
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(Ms. Gorton, Mr. Wigginton, Mr. Brown and Mr. Cegelka were absent when the vote was taken.)

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The following resolutions were given first reading. Ms. Shafer made a motion, seconded by Mr. Lane, to suspend the rules.

Mr. Stinnett asked Ms. Shafer about the reasons for suspending the rules on the resolutions.

The motion passed by unanimous vote. The resolutions were given second reading and passed by the following vote:

Aye: Lane, McChord, Moloney, Myers, Shafer,  
Stevens, Stinnett, DeCamp, Ellinger, Farmer \_\_\_\_\_  
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Nay: \_\_\_\_\_  
\_\_\_\_\_ 0

(Ms. Gorton, Mr. Wigginton, Mr. Brown and Mr. Cegelka were absent when the vote was taken.)

A Resolution accepting the bids of Central Equipment Co., Price's Tractor Sales, Inc., Montgomery Tractor Sales, Inc., Century Equipment, Montage Enterprises, Inc., and Tractor N Such, Inc., establishing a price contract for tractor and motor parts, for the Div. of Fleet Services.

A Resolution accepting the bids of I.B. Moore Co., Inc., Fluid Power Products, Superior Hose & Fittings, Inc., Barnes Distribution and Carquest Auto Parts, establishing a price contract for hydraulic hoses and fittings, for the Div. of Fleet Services.

A Resolution accepting the bids of Municipal Equipment, Inc., Central Indiana Truck Equipment Corp., and WasteEquipmentParts.com, establishing a price contract for refuse parts, for the Div. of Fleet Services.

A Resolution authorizing the Mayor to execute a Release of Easement, releasing a utility easement on property located at 1823 Glenhill Drive.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and accept a Deed of permanent storm sewer easement and temporary construction easement from Ms. Nickol Gillum at 137 Suburban Court, for the Dantzler Arcadia Cherokee Park Phase II Project, and authorizing payment in the amount of \$4,050.00, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor to execute and submit a Grant Application to the National Police Athletic League and to provide any additional information requested in connection with this grant application, which grant funds are in the amount of \$7,500.00 Federal funds, and are for implementation of the National Association of Police Athletic Leagues Youth Enrichment Program (PALYEP).

A Resolution amending Resolution No. 163-2006 to add acceptance of the bids of All Pro Lawn and Landscaping and C & D Turf and Landscape Management establishing price contracts for mowing of city areas, medians, nuisance abatement and downtown parks, for the various departments and divisions of the Urban County Government.

A Resolution authorizing the Mayor to approve the Proposal with Motorola, for the purchase of LiveScan station, at a cost not to exceed \$24,234.00.

A Resolution authorizing the Mayor to execute an Agreement with Ad-Success, for the Mobility Office marketing campaign, at a cost not to exceed \$40,400.00.

A Resolution authorizing the Mayor to execute Agreements with the Lexington-Fayette Urban County Human Rights Commission (\$125,210.00) and Fayette County Legal Aid, Inc. (\$108,540.00), for purchase of services for FY 2007, at a total cost not to exceed \$233,750.

A Resolution authorizing the Mayor to execute a Clinical Services Agreement with the University of Ky., Chandler Medical Center, for the provision of dental health services to clients of the Family Care Center by the College of Dentistry, at a cost not to exceed \$226,437.00.

A Resolution authorizing the Mayor to execute a Clinical Services Agreement with the University of Ky., Chandler Medical Center, College of Nursing, for Pediatric Nurse Practitioner services at the Family Care Center, at a cost not to exceed \$320,320.00.

A Resolution authorizing the Mayor to execute a Lease Agreement with the Brenda D. Cowan Coalition of Ky., Inc., for office and programming space at the Phillis Wheatley Center for the Police Activity League, at a cost not to exceed \$7,800.00 (\$650.00 per month).

A Resolution authorizing the Mayor to execute Lease Agreements with the National Alliance for the Mentally ill (NAMI); Bluegrass Community Action Agency, National Association for the Advancement of Colored People (NAACP); Eldercrafters; Community Reinvestment Alliance (CRAL); Legal Aide of the Bluegrass; Lexington Fayette County Urban League, Inc.; LexCare; Area Health Education Center (AHEC); and West End Community Empowerment Program (WECEP), for use of space at the Black and Williams Neighborhood Center.

A Resolution authorizing the Mayor to execute an Agreement with Mentelle Neighborhood Association, Inc. (\$1,000.00) for the Office of the Urban County Council, at a cost not to exceed the sum stated.



A Resolution authorizing the Mayor to execute an Engineering Service Agreement with GRW Engineers, Inc., for the Downtown Sanitary Sewer Collection System Study – Phase I, at a cost not to exceed \$260,900.00.

A Resolution authorizing the Mayor to execute Purchase of Service Agreements with Baby Health Services (\$16,000), Bluegrass Area Development District (\$71,810), Bluegrass Community Action Agency (\$20,000), Bluegrass Domestic Violence Program (\$66,530), Bluegrass Rape Crisis Center (\$67,500), Bluegrass Technology Center (\$2,370), Center for Women, Children & Families (\$35,100), Chrysalis House, Inc. (\$40,000), Comprehensive Care Center (\$314,750), Community Action Council (\$163,260), Emmaus Road Village, Inc. (\$55,000), Environmental Commission (\$2,680), Family Counseling Service (\$32,500), Hope Center (\$668,770), Manchester Center (\$14,250), M.A.S.H. (\$152,000), Nursing Home Ombudsman (\$45,000), Operation read (\$27,550), Salvation Army (\$140,820), and YWCA – Brenda D. Cowan Coalition Center (\$10,000), to provide services to the public, at a cost not to exceed \$1,945,890.00.

A Resolution authorizing the Mayor to execute an Option Agreement with the Lexington-Fayette Urban County Housing Authority, to provide lots for off-site construction of Affordable Housing, for the Bluegrass Aspendale Hope VI Revitalization Project.

A Resolution authorizing the Mayor to execute Supplemental Agreement No. One with Commonwealth of Ky. Transportation Cabinet, Dept. of Highways, to reimburse the Urban County Government up to \$1,000,000.00 for right-of-way acquisition and utility relocation for the widening and reconstruction of Todds Road/Liberty Road – Section One Project.

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The following resolutions were given first reading and ordered placed on file until August 17, 2006 for public inspection.

A Resolution authorizing the Mayor to execute an Amendment to Two Loan Agreements with Shepherd's House, Inc., for use of Community Development Block Grant funds for rehabilitation of residential facilities for low-income persons recovering from substance abuse, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute Change Order No. 1 to the contract with E. C. Matthews Co., Inc., for the African Cemetery #2 Fence Project Phase 2, increasing the contract price by the sum of \$35,276.57 from \$163,209.00 to \$198,485.57.

A Resolution authorizing the Mayor to execute Change Order No. Two (2) to the contract with Spectrum Contracting Services, Inc., for renovation, seventh floor of the Phoenix Building, increasing the contract price by the sum of \$6,731.31 from \$173,018.00 to \$179,749.31.

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At 7:25 p.m., the Council lost its quorum.

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The following communications from the Mayor were placed on file until August 17, 2006: (1) recommending the appointment of William C. Parker, At-Large Representative, to the Board of Health, with a term to expire 6-30-2008; (2) recommending the reappointments of Jack Frank and William Hodges to the Contractor Registration Review Board with terms to expire 6-30-2010. Also, recommending the appointments of Jon Byer, Remodeling Contractor Representative, and Jim Ernst, Contractor Representative, to the Contractor Registration Review Board with terms to expire 6-30-2010; (3) recommending the reappointments of Jill Chenault-Wilson, Emma Gay-Lewis and Thomas E. Weathers to the Dunbar Neighborhood Center Board with terms to expire 3-20-2010; (4) recommending the reappointments of Kirk Catinna, Stephen Jackson, Marty Marchaterre and Betty Hollingsworth to the Environmental Commission with terms to expire 10-1-2010. Also, recommending the appointments of Ahmad

Malkawi and Tommy Lorrison to the Environmental Commission with terms to expire 10-1-2010; (5) recommending the reappointments of Jack Ballard, Linda Carroll, Carol Fening, Zane Jefferies, Barbra Ruff and Jonetta Young to the Historic Preservation Commission with terms to expire 6-30-2010. Also, recommending the appointments of F. Michael Mayer and Missy Rogers to the Historic Preservation Commission with terms to expire 6-30-2010; (6) recommending the reappointments of Kimberly Herbert, Mariana H. Moore and Bill Rhoads to the Horse Patrol Commission with terms to expire 7-1-2010. Also, recommending the appointments of Jim Mahan, Butch Schroyer and Ann Tucker to the Horse Patrol Commission with terms to expire 7-1-2010; (7) recommending the appointment of Bren N. Jones to the One Parent Family Facility Board with a term to expire 4-1-2009. Ms. Jones will fill the unexpired term of Eric Morton; (8) recommending the reappointments of Chuck Ellis, Becky Estep, Sheila Vose, Isabel Yates and Sharon Reed to the Picnic with the Pops Board with terms to expire 7-1-2010. Also, recommending the appointment of Jim Clark to the Picnic with the Pops Board with a term to expire 7-1-2010; (9) recommending the reappointments of Linda Gorton, Mimi Ilgaz, Karen Kryscio, Joy Payne and Mary Helen Slone to the Senior Citizens Center Advisory Board with terms to expire 6-11-2010. Also, recommending the appointments of Bill Farmer and Omar Gayheart to the Senior Citizens Center Advisory Board with terms to expire 6-11-2010; (10) recommending the reappointments of Diane Bonfert, Becky Estep, Thomas A. Owen and W. L. Wilson to the Special Events Commission with terms to expire 6-1-2010. Also, recommending the appointments of Cathy B. Derr and Leo McMillen to the Special Events Commission with terms to expire 6-1-2010 and (11) recommending the reappointments of Priscilla Johnson and Edward J. Kasarskis to the Transit Authority with terms to expire 6-30-2010.

Mr. Bernard McCarthy, Harry Street, spoke in support of extending the reversible lanes on Nicholasville Road northward to the Upper St./Limestone St. split.

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Mr. Milton Dohoney, Chief Administrative Officer, thanked the Council for the opportunity to work for Lexington-Fayette Urban County Government.

Dr. Stevens read a proposed Resolution for Mr. Dohoney thanking him for his dedication and service to the Lexington-Fayette Urban County Government, and wished him well in his new position in Cincinnati, Ohio.

The Council thanked Mr. Dohoney for his service to the Urban County Government.

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The Council adjourned.

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Deputy Clerk of the Urban County Council